

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**March 24, 2005**

**TO:** Honorable Mike Krusee, Chair, House Committee on Transportation

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: HB2139** by Phillips (Relating to certain agreements by the Texas Department of Transportation involving pass-through tolls.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would require the Texas Department of Transportation (TxDOT) to delegate the full responsibility for design, bidding, and construction to a municipality, county, regional mobility authority, or regional tollway authority with whom TxDOT has entered into pass-through toll agreement. The municipality, county, regional mobility authority, or regional tollway authority would be required to meet TxDOT's design criteria, construction specifications, and contract administration procedures unless granted an exception by TxDOT.

The bill would authorize a municipality, county, regional mobility authority, or regional tollway authority to contract with a private entity to act as an agent in the construction and maintenance of a facility under Sections 222.104(b) and 222.104(c), Transportation Code, relating to pass-through toll agreements with TxDOT.

Based on the analysis of TxDOT, it is assumed the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The bill would take effect immediately upon receiving a vote of two-thirds of all members elected to each house or otherwise on September 1, 2005.

**Local Government Impact**

It is assumed that costs to local governmental entities for implementing the provisions of the bill would vary depending on the size of the local entity, the size and type of projects constructed, and the nature of the pass-through toll agreements entered into with TxDOT.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** JOB, SR, MW, TG, KJG